

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: **Yong Kyun Cho**  
TITLE: **Implantable Medical Device and Method for Delivering Therapy for Sleep-Disordered Breathing**

CERTIFICATE UNDER 37 CFR §1.10: I hereby certify that this Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, "EXPRESS No. EV 331 793 135 US, on this 24<sup>th</sup> day of October, 2003.

Kathleen M. Altman  
Printed Name  
Signature

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- X Patent Application Transmittal
- X Specification:  
Total pages: 45 (including claims and abstract: Spec. 29 sheets; Claims 15 sheets; Abstract 1
- X Drawings:  
Total sheets: 10  
☐ formal ☒ informal
- ☒ Combined Declaration and Power of Attorney:  
☒ unexecuted  
☐ copy from prior application  
☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))  
☐ Incorporation by Reference - *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*
- X Accompanying application parts:  
☐ Notification of filing a  
☐ Assignment of the Invention to Medtronic, Inc.  
☐ Assignment cover sheet  
☐ Information Disclosure Statement  
☐ PTO Form 1449  
☐ Copies of IDS citations  
☐ Preliminary Amendment  
☐ A copy of the Petition or Conditional Petition for Extension of Time in the prior application.  
X Return Postcard

IF A CONTINUING APPLICATION:

- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. .
- ☐ Amend the specification by inserting before the first line the sentence: --This application is a of application Serial No. , filed , now allowed.--
- ☐ Cancel in this application original claims \_\_\_\_ of the prior application before calculating the filing fee. (At least the original independent claim must be retained for filing purposes.)
- ☐ The prior application is assigned of record to Medtronic, Inc.
- ☐ The Power of Attorney in the prior application is to: \_\_\_\_.

☐ This application claims the benefit of U.S. Provisional Application(s) Serial No.(s) \_\_\_\_\_, filed \_\_\_\_\_.


X Address all future correspondence to: Daniel G. Chapik, Reg. No. 43,424  
Telephone: (763) 514-3066  
No. 27,581

FEE CALCULATION	No. of Claims Filed	Claims Included in Base Fee	No. of Extra Claims	Rate	Fee
Total Claims	93	20 =	73	x 18	\$1,314.00
Independent Claims	4	3 =	1	x 86	\$ 86.00
Multiple Dependent Claims			0	+ 290	
Basic Filing Fee					\$770.00
				TOTAL	\$2,170.00

X Charge Deposit Account No. 13-2546 in the amount of \$2,170.00 for the filing fee.

X The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

10/24/03  
Date

  
\_\_\_\_\_  
Daniel G. Chapik, Reg. No. 43,424  
Telephone: (763) 514-3066  
No. 27581

---

---

APPLICATION FOR UNITED STATES LETTERS PATENT

for

IMPLANTABLE MEDICAL DEVICE AND METHOD FOR DELIVERING  
THERAPY FOR SLEEP-DISORDERED BREATHING

by

YONG KYUN CHO  
H. TOBY MARKOWITZ

ATTORNEY/AGENT OF RECORD:

Daniel G. Chapik, Reg. No. 42,424  
Telephone: (763) 514-3066  
No. 27,581

**CERTIFICATE OF "EXPRESS MAIL"**

Mailing Label No. EV 331 793 135 US

Date of Deposit: 10/24/03

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "EXPRESS MAIL" POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PATENT APPLICATION, Commissioner of Patents and Trademarks, Washington, D.C. 20231.

KATHLEEN M. ALTMAN

Printed Name

Signature

